

Appl. No. 10/076,698
Response Dated July 17, 2004
Reply to Office Action of December 19, 2003

Attorney Docket No. 81788.0216
Customer No. 26021

Remarks:

Enclosed is a copy of the Patent Office's Decision on Petition with respect to parent application Serial No. 09/328,149. The petition to revive was originally filed to establish copendency. The petition has been granted so this application is a proper continuation of application Serial No. 09/328,149 under 35 U.S.C. § 120..

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
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In re Application of : OFFICE OF PETITIONS
Junichi Kinoshita :
Application No. 09/328,149 : ON PETITION
Filed: June 8, 1999 :
Attorney Docket No. 81788.0008 :

This is a decision on the petition under 37 CFR 1.137(b), filed June 15, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely and proper manner to the final Office action mailed August 14, 2001, which set a three (3) month shortened statutory period for reply. Petitioner submitted a timely amendment on November 8, 2001. However, the amendment did not *prima facie* place the application in condition for allowance. Accordingly, the above-identified application became abandoned on November 15, 2001. A Notice of Abandonment was mailed on May 7, 2002.

The application is being revived solely for purposes of continuity. As continuity has been established by this decision reviving the application, the application is again abandoned in favor of Application No. 10/076,698, filed February 13, 2002.

The file is being forwarded to Files Repository.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 306-5589.

Christina Tartera Donnell
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